Office of the Commissioner of Official Languages

Performance Report
for the period ending March 31, 2007

The Honourable Rona Ambrose
President of the Queen's Privy Council of Canada

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SECTION I – OVERVIEW

Commissioner's Message

I am pleased to present you with this *Performance Report for the period ending March 31, 2007*, prepared by the Office of the Commissioner of Official Languages.

As an officer of Parliament and Commissioner of Official Languages, it is my duty to take all necessary measures to ensure full recognition of the equal status of both official languages and compliance with the spirit and letter of the *Official Languages Act* (the Act). It is also my duty to work toward ensuring compliance with the legislative intent of the Act with respect to the way that federal institutions and other organizations subject to the Act administer their affairs. I also have a responsibility to work towards the advancement of English and French in Canadian society.

Our two official languages, English and French, belong to all Canadians and are important tools for building bridges among us. The vast majority of the Canadian population willingly supports the official languages policy, even though its application is still largely misunderstood. The education and promotion role assigned to me are therefore critical and complementary to my role of protecting language rights and evaluating the government's performance. I believe the greatest underlying value of Canada's language policy is respect: respect for both official languages, the unilingual population, official language minority communities, citizens, taxpayers, parliamentarians and civil servants. This value is foremost in guiding both my decisions and actions.

Since being appointed in October 2006, I have continued to apply the three-year strategic plan prepared by my predecessor, Dyane Adam, whom I would like to thank for her devotion and for the team I inherited from her. The strategic plan lays out the following goals: that federal institutions and other organizations subject to the Act respect the equal status of English and French, that the vitality of official language minority communities in Canada is enhanced in areas involving their development, that the equality of English and French is recognized and fostered as a value in an increasingly diverse Canadian society, and that the Office of the Commissioner is an exemplary work environment guided by effective and efficient management.

In 2006-2007, as language ombudsman, I received nearly 1,000 complaints, 137 of which were related to Part VII of the Act, regarding the advancement of English and French. This constitutes a considerable increase (only six complaints under the same Part of the Act in 2005-2006). The increase is due, in large part, to the budget cuts announced by the Government of Canada in fall 2006, which led to the cancellation of funding for the Court Challenges Program, among other effects. Also published were audits related to public service, access to health care and Part VII of the Act. A total of 37 federal institutions were evaluated, and the performance report cards, including a number of success stories among federal departments and agencies, are described in my first annual report for 2006-2007. I also reported on the outcomes of court cases involving the Office of the Commissioner, since legal action is part of my mandate when other means are exhausted.

To keep a close watch on official languages, I am responsible for conducting extensive research into the factors that influence the full recognition of the equality of English and French in Canada. Studies on language of work and community vitality have been published during this period, in addition to other reports on language rights and public opinion on official languages.

I also followed closely the efforts of the Government of Canada in implementing the *Action Plan for Official Languages* and amendments to Part VII of the Act. I reviewed the management and structure of the federal government's Official Languages Program. My first annual report includes my findings and recommendations.

Finally, appearing before various Senate and House committees has given me the opportunity to talk about linguistic duality in Canada and to discuss the recommendations in my annual report. I consider these exchanges to be very meaningful because they allow me to build on my message to the Government of Canada and to forge ties with parliamentarians, who all have a role to play in enhancing the vitality of official language communities and promoting linguistic duality in Canada.

I would like to conclude by thanking the staff of the Office of the Commissioner for their dedication and unparalleled commitment. Thanks to them, I have begun my seven-year term full of confidence. They also played a critical role in achieving the results you will read about in this report.

Graham Fraser

Management Representation Statement

I submit for tabling in Parliament the *Performance Report for the period ending March 31, 2007* for the Office of the Commissioner of Official Languages.

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2006-2007 Estimates: Reports on Plans and Priorities and Departmental Performance Reports.*

- It adheres to the specific reporting requirements outlined in the TBS guidance.
- It is based on the Office of the Commissioner of Official Languages approved Program Activity Architecture, approved by Treasury Board.
- It presents consistent, comprehensive, balanced and reliable information.
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it.
- It reports financial information based on approved numbers from the Estimates and the Public Accounts of Canada in the DPR.

Graham Fraser
Commissioner of Official Languages

Summary Information

Reason for Existence – The Commissioner of Official Languages has a mandate to promote the *Official Languages Act* (the Act) and oversee its full implementation, protect the language rights of Canadians and promote linguistic duality and bilingualism in Canada.

The following parts of the *Official Languages Act* are treated in this report:

Part II	Legislative and other instruments
Part III	Administration of justice
Part IV	Communications with and services to the public
Part V	Language of work
Part VI	Participation of English-speaking and French-speaking Canadians
Part VII	Advancement of English and French
Part IX	Commissioner of Official Languages
Part X	Court remedy

A copy of the *Official Languages Act* can be found on the Web site of the Office of the Commissioner of Official Languages (Office of the Commissioner) at the following address: http://www.ocol-clo.gc.ca.

The Commissioner works to ensure that the three key objectives of the Act are achieved, and takes all necessary measures in that regard. More specifically, the objectives of the Act are to ensure:

- the equality of English and French in Parliament, within the Government of Canada, the federal administration and institutions subject to the Act;
- the development and vitality of official language minority communities in Canada; and
- the equal status of English and French in Canadian society.

In pursuing these three objectives and the corresponding priorities, the Commissioner works to protect language rights by monitoring application of the Act by federal institutions and other organizations, and promoting Canada's official languages and linguistic duality as fundamental aspects of our national identity. He plays six roles in this regard.

Protection:

1. **Ombudsman role** – The Commissioner receives and reviews complaints and, if required, investigates and makes necessary recommendations. In this role, he also conducts investigations on his own initiative, as he deems advisable.

2. **Court intervention role** – The Commissioner aids in advancing Canadians' language rights by seeking leave to intervene, when appropriate, in adjudicative proceedings relating to the status or use of English or French and to ensure that linguistic rights are respected.

3. **Auditing role** – The Commissioner plays a proactive role by conducting audits to measure the compliance of federal institutions and other organizations subject to the Act, and proposes recommendations relating to the existing management framework within organizations.

Promotion:

4. **Liaison role** – The Commissioner works with federal institutions and other organizations, various levels of government and official language minority communities throughout the country. Through that interchange, he gains a better understanding of the needs and concerns of linguistic communities, makes relevant recommendations and intervenes judiciously in major official language issues.

5. **Monitoring role** – The Commissioner acts preventively by intervening at the stage where laws, regulations and policies are developed so as to ensure that language rights remain a primary concern of leaders. He monitors implementation of the Act by federal institutions and other organizations, by evaluating their performance and intervening proactively before complaints are made.

6. **Promotion and education role** – The Commissioner heightens Canadians' awareness of the benefits of linguistic duality, works together with community organizations, takes appropriate action to have organizations subject to the Act give official languages and linguistic communities the attention they deserve, and contributes to the development and enhancement of the vitality of official language minority communities. This role consists of conducting research, studies and public awareness activities. He delivers speeches and participates in conferences and workshops to inform all Canadians of the status and importance of official languages.

Operating Environment

The overall planning framework of the Office of the Commissioner reflects the Commissioner's status of independence from government and his role with regard to parliamentarians. The Commissioner of Official Languages exercises ombudsman and auditing roles to urge the compliance of organizations subject to the Act. The Commissioner also acts as a bridge builder, working to convince other federal organizations to respect the spirit and letter of the Act.

The purpose of the Act – which is the equal status of the two official languages and equality of rights and privileges regarding their use within federal institutions, as well as the recognition and vitality of linguistic duality in Canada – can be achieved only through the work of federal institutions and other organizations subject to the Act. The Office of the Commissioner therefore always seeks effective and innovative methods to encourage decision makers to achieve these results on behalf of Canadians.

The Office of the Commissioner works closely with these organizations to foster a better understanding of the importance of linguistic duality. By encouraging federal institutions and other organizations subject to the Act to serve Canadians in the official language of their choice, the Commissioner contributes to change in the government's organizational culture and to improvements in the quality of service.

Internal and External Factors

In its day-to-day activities, the Office of the Commissioner nurtures relationships with four main key actors: parliamentarians, federal institutions and other organizations subject to the Act, official language minority communities and the Canadian public.

The Office relies on the actions of its many partners to achieve the Act's objectives. In this respect, the Office of the Commissioner's approach must be flexible yet focused to account for shifts in the political, social and economic environment.

Like other federal institutions, the Office of the Commissioner espouses rigorous management principles and practices, and continually strives to be a learning organization where employees can improve their knowledge and skills. More specifically, the Office's management practices incorporate key elements of the Treasury Board Secretariat's Management Accountability Framework, to:

- Think of citizens first;
- Apply rigorous policy analysis;
- Consider key risks;
- Employ the right work force;
- Ensure that public resources are managed responsibly;
- Assign clear accountabilities, with due regard to capability.

The Office of the Commissioner of Official Languages uses the financial and human resources at its disposal (as reflected below) to achieve its mandate.

Total Financial Resources (in thousands of dollars)

Planned Spending	Total Authorized	Actual Spending
19,129	19,947	19,832.2

Total Human Resources (full-time equivalents)

Planned	Actual	Difference
164	154	10

Status on Performance 2006-2007

Program Activities: Investigations (Compliance Assurance) ◄——► Policy and Communications

Performance Status

The Commissioner made five recommendations to the Government of Canada in the *2006-2007 Annual Report*. He also directly addressed federal institutions and other agencies subject to the Act in three audits, the performance report cards of 37 federal institutions, research, and three studies conducted during the period in question. Other publications were also disseminated. As language ombudsman, he received 999 complaints, in addition to carrying out 1,036 investigations and closing another 775 investigations. When necessary, he intervened before the courts on three occasions. Giving a number of speeches at conferences, symposia and other public events, as well as appearing five times before various parliamentary committees, he was able to promote and raise awareness among the Canadian population and parliamentarians of the equality of English and French in an increasingly diverse Canadian society. The Commissioner also obtained additional funds to meet the requirements of the new *Federal Accountability Act*. He ensured strict management of human and financial resources and compliance with applicable policies and guidelines. The Commissioner is supported by the staff of the Office of the Commissioner, located in the National Capital Region and in regional offices across Canada.

Strategic Priorities

1. Federal institutions and other organizations subject to the *Official Languages Act* respect the equality of English and French. 1.1 Services of equal quality are available in English and French. 1.2 Measures are taken to establish a workplace that is conducive to effective use of English and French as language of work. 1.3 The composition of the organizations' work force tends to reflect equitable representation of official language communities in Canada.	2. The vitality of the official language minority communities in Canada is enhanced in sectors affecting the communities' development. 2.1 Federal institutions and other organizations subject to the *Official Languages Act* consider linguistic minority communities' needs in the development and implementation of their strategic planning, policies and programs, and are accountable for measures undertaken to obtain results. 2.2 The federal government encourages and supports provincial and territorial governments in adopting measures to enhance the vitality of linguistic minority communities.	3. The equality of English and French is recognized and fostered as a value in an increasingly diverse Canadian society. 3.1 Federal institutions and other organizations subject to the *Official Languages Act* integrate linguistic duality in the development and implementation of policies and programs. 3.2 There is a sustained level of public support for linguistic duality as a value in Canadian society.	4. The Office of the Commissioner develops and maintains an exemplary workplace and effective and efficient management. 4.1 A knowledge-based environment, where sound and clear leadership prevails, is fostered. 4.2 Risk management is embedded in the Office of the Commissioner practices, as part of modern management.

Strategic Outcome: Compliance with and respect for the *Official Languages Act* by federal institutions and other organizations subject to the Act.

SECTION II – ANALYSIS OF PERFORMANCE BY STRATEGIC OUTCOME

Analysis by Program Activity

Strategic Outcome

Compliance with and respect for the *Official Languages Act* by federal institutions and other organizations subject to the Act.

Program Activity: Investigations (Compliance Assurance)

Financial Resources (in thousands of dollars)

Planned Spending	Authorized	Actual Spending
8,909	9,215.9	9,014.9

Human Resources (full-time equivalents)

Planned	Actual	Difference
85	76	9

The Investigations (Compliance Assurance) activity brings to the attention of federal institutions and other organizations subject to the Act the need for long-term solutions to implementation of the *Official Languages Act*. By investigating complaints, conducting audits, measuring performance and maintaining a working relationship with these institutions, the Office of the Commissioner reinforces and monitors compliance with the Act.

The Investigations (Compliance Assurance) activity includes the following three sub-activities:

1. Investigations
   Receive complaints, investigate compliance with the *Official Languages Act* and make recommendations to improve acceptance and implementation of the Act.

2. Performance Measurement and Audits
   Determine the extent to which the *Official Languages Act* is implemented in federal institutions and other organizations subject to it, analyze the linguistic performance of approximately 40 institutions and organizations, conduct field observations and determine trends in the implementation of the Act. Perform external audits and make recommendations regarding systemic problems.

3. Legal Affairs
   Provide legal advice and legal analyses to support investigations. Represent the Commissioner in court proceedings under Part X of the Act when intervention is appropriate to ensure that institutions fully respect the *Official Languages Act*.

Program Activity: Policy and Communications

Financial Resources (in thousands of dollars)

Planned Spending	Authorized	Actual Spending
10,220	10,731.1	10,817.3*

Human Resources (full-time equivalents)

Planned	Actual	Difference
79	78	1

The Policy and Communications activity involves research and analysis to identify opportunities and implement strategies for influencing change among partners. It supports the work of parliamentarians and educates members of the public on the Act and the Commissioner's role.

The Policy and Communications activity includes the following three sub-activities:

1. Policy and Research
   Conduct research and studies and undertake detailed analysis on language-related policies. Explore the evolution and impact of socio-economic factors, such as Canadian demographics and current events, to provide strategic advice to the Commissioner and to inform the policy-making process. Act as a liaison with central agencies and national organizations, and with regional associations and communities of interest concerned with official language issues.

2. Communications
   Provide strategic communications advice to the Commissioner and undertake communications and outreach activities aimed at the public, parliamentarians, other partners, and the media. Receive and manage information requests and provide information to the public on a wide variety of topics related to official languages, using the Office's Web site, print and electronic means, and media relations.

3. Parliamentary Relations
   Provide ongoing support to the Commissioner, as an officer of Parliament, in his dealings with parliamentarians and parliamentary committees. Examine relevant bills in order to ensure they reflect linguistic duality, and intervene if the need arises.

* Under the Policy and Communications activity, actual expenditures exceeded the authorized amount by $86,200. Investigations (Compliance Assurance) cost $201,000 less than authorized. The Office of the Commissioner may incur more expenses than authorized in one or another activity as long as the organization's total expenditures do not exceed their authorized amount.

Overall Performance

In accordance with section 66 of the *Official Languages Act* (the Act), the Commissioner tables in Parliament an annual report on the main activities of the Office of the Commissioner for the previous year. This provides an overview of the situation regarding Canada's language policy; it evaluates progress and setbacks and makes recommendations the Commissioner believes are necessary to ensure the Act's goals are achieved by affected departments and agencies, and to remind government as a whole of its public obligations.

The *2006-2007 Annual Report* was prepared in fiscal 2006-2007 and tabled in Parliament on May 15, 2007. This was the first annual report prepared by Commissioner Fraser, who was appointed in October 2006. Throughout this Performance Report, reference is made to the *Annual Report* with a focus on the Office of the Commissioner's progress and achievements.

The efforts of the Office of the Commissioner are guided by the Commissioner's vision which takes into consideration the importance and richness of English and French as an integral value of our Canadian identity. Respect, generosity and integrity entrenched in the Office of the Commissioner's management principles and practices also serve as a basis for Canada's language policy. The roles of the Commissioner mentioned on page 6 of this report – promotion and protection – are interdependent and thereby contribute to the results that benefit Canadians.

This section presents the significant progress and results achieved by the Office of the Commissioner in fiscal 2006-2007 in terms of each of the organization's four strategic priorities, whose vision goes beyond the period of this report. It should be noted that during this period Commissioner Dyane Adam headed the Office, from April 2006 to mid-October 2006, prior to Commissioner Graham Fraser's appointment for the next seven-year term. This report will therefore refer to either commissioner, as appropriate.

First Strategic Priority: Federal institutions and other organizations subject to the *Official Languages Act* respect the equality of English and French.

Strategic Results:

1.1 Services of equal quality are available in English and French.
1.2 Measures are taken to establish a workplace conducive to the effective use of English and French as language of work.
1.3 The composition of the organizations' work force tends to reflect equitable representation of official language communities in Canada.

Ombudsman

As language ombudsman, the Commissioner deals with complaints from the public that involve the application of the *Official Languages Act* (the Act). The Commissioner is responsible for determining whether a complaint is admissible, and if so for conducting an investigation to determine whether or not it is founded. If the complaint is founded, the Commissioner works with the institution to find a permanent solution. The Commissioner encourages dialogue and co-operation so that federal institutions and other organizations subject to the Act fulfill their

obligations. When institutions and organizations do not respond adequately to the Commissioner's recommendations, complainants may turn to the courts. Under the Act, the Commissioner has the authority to intervene in legal proceedings. The Commissioner also oversees implementation of the Act through performance report cards for certain federal institutions. He also fulfills his ombudsman role through annual audits of some federal institutions and through audit follow-ups. The purpose of the audits is to identify and prevent major problems related to application of the Act in federal institutions. The goal of the interventions is to obtain from senior management a public commitment to resolve any shortcomings. For further details, please consult Chapters 4 and 5 of the *2006-2007 Annual Report*.

Investigations

During 2006-2007, 38% of complaints were handled using the rapid resolution method, introduced in 2005-2006. Most complaints were resolved within 60 days of the complaint being made. The Commissioner received a total of 999 complaints, 6% more than in 2005-2006. Of the 999 complaints, 77% were valid and resulted in an investigation. These results are similar to those of previous years. Most complaints were related to service to the public (425). Complaints related to language of work fell from their usual second place to third (108). The second largest number of complaints was related to promotion of English and French (137 complaints), attributable to the September 2006 budget cuts and their impact on official language minority communities. Some aspects of the investigation on budget cuts are described in the second strategic priority on page 24 of this report.

It should be noted that of all the valid complaints filed during the period, 352 involved 10 institutions. There is significant contact with the public at these institutions, which include Air Canada, Canada Post, Service Canada, Statistics Canada, the Canada Border Services Agency and the Canada Revenue Agency. Most of the complaints were in the National Capital (317) and Atlantic (172) regions.

➲ **Result**: The purpose of investigations is to verify whether institutions comply with the spirit and letter of the Act, to raise institutions' awareness of the requirements of the Act (through the Commissioner's recommendations and the institutions' commitments or rapid resolutions), and to rectify the situations identified, as necessary.

Court Interventions

The Commissioner usually exercises his intervention authority before the courts when the other means at his disposal fail or when a complaint raises major legal questions with regard to the interpretation of public language rights and the obligations of federal institutions. In 2006-2007, the Commissioner intervened in two cases.

CALDECH Case: On January 16, 2007, Commissioner Fraser applied to the Supreme Court of Canada for leave to appeal the Federal Court of Appeal's decision in CALDECH (rendered on November 17, 2006). Commissioner Adam had intervened before the Federal Court of Appeal, which found that Industry Canada had failed to meet its service obligations under Part IV of the

Act. However, the Federal Court of Appeal made a limited interpretation of the obligations of federal institutions by not recognizing the obligation to provide services that take into account the needs of the clients being served, in this case the Simcoe North French-speaking community.

- **Progress**: Commissioner Fraser deemed it necessary to submit to the Supreme Court of Canada the basic issue of Canadians' access to services of equal quality in both official languages and the obligations of federal institutions in this regard.

Air Canada Case: On March 22, 2007, the Federal Court of Appeal rendered a positive decision in *Air Canada v. Thibodeau*, in which Commissioner Adam had intervened. In its reasons, the Court of Appeal referred to arguments raised by the Commissioner regarding the nature and intensity of Air Canada's linguistic obligations with respect to services provided by its subsidiaries.

- **Result**: By categorically rejecting the appeal made by Air Canada, the Court of Appeal confirmed that the Act sets out the achievement of a specific result, in this case to ensure that the travelling public has equal access to services in either official language. The Court of Appeal also rejected the position of Air Canada, which argued it had used due diligence; the Court's decision indicated that such a defence requires more than a passive approach. The Court of Appeal blamed Air Canada for not taking steps to comply with its obligations before the incident involving Mr. Thibodeau occurred, and criticized the oppressive nature of the appeal and Air Canada's conduct in trying unnecessarily to draw out the proceedings. This justified a larger financial compensation for Mr. Thibodeau.

Audits

In 2006-2007, the Office of the Commissioner published, among others, a follow-up audit of Canada Post, and produced a preliminary report on access to health care:

Audit of Canada Post Corporation Services to the Public at Bilingual Postal Outlets - Follow-up (June 2006)

The Office of the Commissioner conducted a follow-up to determine to what extent Canada Post Corporation (Canada Post) had implemented the recommendations made in a 2004 audit. Follow-up results indicate that Canada Post did not improve its bilingual service offer at postal outlets. These findings confirm the results of the performance report card published in the *2006-2007 Annual Report*. The observations gathered on active offer and service delivery also indicate a poor rating. Canada Post implemented a monitoring structure, but the resulting action plans must be followed more closely and the monitoring mechanisms strengthened. To do this, Canada Post must hold managers accountable; as long as they are not assessed on the language component of their obligations, the need to treat both official languages equally will not be taken seriously enough.

- **Result**: Only 4 of the 13 recommendations made in 2004 were satisfactorily implemented. The Office of the Commissioner has once again made Canada Post aware of the fact that it must find innovative ways to encourage postal outlets operated by retailers to offer improved services in the minority official language.

In January 2007, the Commissioner's Office also produced a preliminary report on the audit on access to health-care services offered to a restricted and identifiable clientele by four federal institutions, Health Canada (Health-care Services to First Nations and Inuit), Veterans Affairs Canada, the Royal Canadian Mounted Police (Cadets in Regina) and Correctional Service Canada.

Following a recommendation made by the House of Commons Standing Committee on Official Languages, an audit was conducted on access to health-care services offered to a restricted and identifiable clientele by four federal institutions: Health Canada, Veterans Affairs Canada, the Royal Canadian Mounted Police and Correctional Service Canada. The purpose of the audit was to determine whether the Government of Canada complies with the Act when it offers health care directly to certain groups and whether it ensures that its obligations are met when it delegates responsibilities to third parties. The preliminary audit report was sent to the four institutions in January 2007 for their comments. The final report was published in July 2007.

➲ **Result**: In general, the managers of the four institutions understand their official languages responsibilities. However, shortfalls in active offer and a general lack of monitoring mechanisms were noted. Furthermore, Health Canada, Veterans Affairs Canada and Correctional Service Canada do not require an adequate level of bilingualism (oral) from their health-care professionals, given the complexity of their duties. In his preliminary report, Commissioner Fraser asked the federal government to offer patients health-care services in the official language of their choice. Health Canada, Veterans Affairs Canada, the Royal Canadian Mounted Police and Correctional Service Canada must comply with the Act when delivering health-care services they are required to give to specific groups or communities.

Performance Measurement

The purpose of the performance report cards is to make citizens and parliamentarians aware of the performance of certain federal institutions subject to the Act and to provide senior executives with information on the strengths and weaknesses of their institutions while guiding them toward adequate improvements. The report cards also help identify future audit and study subjects. The *2006-2007 Annual Report* promotes good practices by presenting a number of federal department and agency success stories.

In 2006-2007, the evaluation framework was modified and became more results-based. For example, the number of observations doubled from 2005-2006 to 918 observations of service by telephone and 850 observations of in-person service. A total of 37 institutions were evaluated, including eight that had not been evaluated the previous year. A report card was prepared for all the institutions evaluated last year, except Social Development Canada and Human Resources and Skills Development Canada, which became Service Canada. As a result of the continuity over the years, the Office of the Commissioner is in a position to determine any progress made, based on the sampling of these federal institutions. Specific problems of compliance with the Act, which take into account the recommendations made as part of investigations and audits, were identified at five institutions; the non-compliance was reflected in their performance report cards.

The report card also incorporates data from the 2005 Public Service Employee Survey and the results of a survey of separate employers conducted by Statistics Canada for the Office of the Commissioner. There was some progress in how institutions managed the official languages program. However, some institutions recorded serious weaknesses in service delivery in the public's official language of choice, specifically in terms of active offer in person. Based on our observations, staff rarely make active offer: only 13% of the time compared to the 24% recorded at the previous evaluation. With regard to weaknesses identified in the report cards, based on language-of-work satisfaction rates among employees in bilingual regions, there continues to be room for improvement to establish a workplace conducive to the effective use of both official languages.

➲ **Result**: In his *2006-2007Annual Report*, the Commissioner recommended to the deputy heads of the institutions concerned that they ensure front-line staff and all officers who serve clients actively offer services in both official languages to enhance the use of the public's official language of choice.

Including performance report cards within the *Annual Report* and publishing audit reports and studies is consistent with the Office of the Commissioner's promotion role. These publications contribute to greater awareness of linguistic duality among all partners of the Office of the Commissioner.

Promotion and Education

The Office of the Commissioner published the following study in 2006-2007:

Towards Real Equality of Official Languages: Language of Work Within Federal Institutions of New Brunswick (June 2006)

The study was launched during a press conference in Moncton on June 14, 2006. It is the third study conducted by the Office of the Commissioner on language of work in a designated bilingual region and the results are similar to those of previous studies. The Office of the Commissioner identified some of the obstacles to full implementation of Parts IV and V of the Act regarding communications with the public, delivery of service, and language of work.

➲ **Result**: Commissioner Adam reiterated five recommendations made in previous studies on language of work and made six new recommendations in three strategic action areas: leadership, language training and an organizational culture conducive to the respect of language rights. The study was given coverage in regional media, in both English and French. Regional representatives of the Office of the Commissioner gave a presentation to managers and official language intermediaries in New Brunswick and Nova Scotia, and to the Nova Scotia Federal Council, to incorporate awareness activities of Part V into the province's action plan for official languages.

Throughout fiscal 2006-2007, the Office of the Commissioner carried out promotional and educational activities to further raise awareness among federal public servants and citizens of the advantages of linguistic duality in Canadian society. The following are a few examples.

In the Atlantic provinces – The Office of the Commissioner's Atlantic Regional Office and the Commissioner participated in a retreat on Part V of the Act (language of work) organized by the New Brunswick Federal Council and its official languages committee as part of Official Languages Week in New Brunswick. Our contribution was twofold: to participate in organizing the retreat and to give two presentations, one on the content and observations of Commissioner Adam's last study on language of work in New Brunswick and the second on the leadership that public servants must demonstrate in this area. Nearly 120 public servants participated in the retreat, which proved to be a great success.

In Quebec – The Commissioner's Quebec Regional Office worked with the Quebec Federal Council on Official Languages (QFC-OL) to restructure the action plan to ensure ongoing support for implementation of the Act, in light of the coordinator position being abolished and funding cancelled (Innovation Fund). A meeting was held with representatives of Fisheries and Oceans Canada, a QFC-OL member, to analyse the results of the 2005 Public Service Employee Survey, to answer questions specifically related to the Act from scientific institutions in Quebec, and to develop an appropriate strategy for QFC-OL.

In Ontario – Official languages are considered a key value of the public service under Ontario Federal Council (OFC) restructuring activities. Following discussions between OFC members and representatives of the Commissioner's Ontario Regional Office, the official languages issue was included as a priority of the OFC under "Public Service Renewal".

In Manitoba – The Ronald Duhamel Award, a federal, provincial and community joint award, was presented to the St. Boniface Bilingual Service Centre during the Semaine de la francophonie, in large part thanks to the commitment of staff at the Commissioner's Regional Office. The award recognizes individuals who have innovated in two areas: official languages in federal institutions and services in French in Manitoba.

In Alberta and British Columbia – Following several information sessions led by the Office of the Commissioner, which included the subject of implementing the Act, federal regional directors and official languages coordinators who oversee the implementation of programs and services in the regions were given a better understanding of what is meant by positive measures with regard to Part VII and genuine equality concerning Part IV of the Act. Although described under the first strategic priority of this report, they also support the second strategic priority on the vitality of official language minority communities. Infrastructure Canada and the Department of Western Economic Diversification in Alberta, as well as the Canada Mortgage and Housing Corporation and the Department of Western Economic Diversification in British Columbia, met with representatives of official language communities to discuss partnerships with other key actors. These partnerships increase the visibility of official language minority communities in both provinces and increase the potential of intergovernmental co-operation on projects and initiatives carried out by the communities. The meetings in Alberta also contribute to a strategy that could lead to a provincial plan for services in French.

Monitoring

As an officer of Parliament, the Commissioner works closely with parliamentarians and various parliamentary committees to ensure the three main objectives of the Act, indicated on page 6 of this report, are achieved. The following is an overview of what was done in 2006-2007.

In June 2006, Commissioner Adam presented her *2005-2006 Annual Report* before the House of Commons Standing Committee on Official Languages and the Senate Standing Committee on Official Languages.

➲ **Result**: Awareness was raised among committee members of the challenges that come with linguistic duality in Canada.

On November 6, 2006, Commissioner Fraser appeared before the Senate Standing Committee on Official Languages. The topics raised were: the 2010 Olympic Games, the impact of head offices moving to unilingual regions on the right of employees to work in the official language of their choice, and the *Official Languages (Communications with and Services to the Public) Regulations*, which are being amended. The amendment has to do with services offered by the Royal Canadian Mounted Police (RCMP) on the Trans-Canada Highway.

➲ **Results**:

- The Commissioner presented his concerns regarding broadcasting of the 2010 Olympic Games in French. Under the existing agreement between the organizer and broadcaster, outside Quebec one out of two households will not be able to watch the Olympic Games in French. In many cases, only digital cable or satellite service subscribers will have access to TQS and RDS. The existing agreement also provides for fewer broadcasting hours in French. The Commissioner indicated that a solution is necessary. (This issue also falls under the third strategic priority on the equality of English and French as a value in an increasingly diverse Canadian society.)

- The transfer of head offices to unilingual regions has a major impact on employees who lose their right to work in the official language of their choice. The Commissioner cited the move of the Canadian Tourism Commission from Ottawa to Vancouver as an example and asked that the government adopt a regulation giving language-of-work rights to employees at head offices in unilingual regions. In light of the testimony and other similar submissions, the Senate Standing Committee on Official Languages tabled a report in May 2007 entitled *Relocation of Head Offices of Federal Institutions: Respect for Language Rights* (see: http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/offi-e /rep-e/rep08may07-e.htm), recommending that the government develop regulations addressing language of work and the transfer of federal head offices.

- *Official Language (Communications with and Services to the Public) Regulations*: The Commissioner recommended improvements to the proposed amendment to the *Regulations* tabled by the government further to the Federal Court's decision in *Donnie Doucet* Case, and to clarify RCMP obligations along the Trans-Canada Highway served by the Amherst detachment in Nova Scotia. In its preliminary report, released in February

2007, the Senate Standing Committee on Official Languages agreed with the Commissioner and recommended that the government amend the draft regulation accordingly. It also advised the government to amend the *Official Languages Regulations* to include the linguistic rights of the public travelling on the Trans-Canada Highway. In its first response submitted to the Committee in April 2007, the federal government said it was open to the idea of considering the Committee's recommendations on amending the *Regulations* in the May 2007 report *Relocation of Head Offices of Federal Institutions: Respect for Language Rights*. However, the government did not make any specific commitments in this respect.

On November 23, 2006, Commissioner Fraser appeared before the House of Commons Standing Committee on Official Languages to share his evaluation of Bill C-29 (*An Act to amend the Air Canada Public Participation Act*), the purpose of which is to maintain and protect the rights of the travelling public and Air Canada employees. The Commissioner identified changes that would improve Bill C-29. Although the restructuring of Air Canada has resulted in a legislative gap with regard to Air Canada's former operational divisions, which in September 2004 became distinct entities, Air Canada is willing to co-operate with the Office of the Commissioner during investigations that involve these new entities.

➲ **Progress**: The Commissioner's appearance before the House of Commons Standing Committee on Official Languages raised awareness among members of the importance of clarifying the linguistic obligations of Air Canada's new entities.

On March 1, 2007, Commissioner Fraser appeared before the House of Commons Standing Committee on Official Languages to discuss the operational approach developed by the Canadian Armed Forces, in which personnel are managed by unit, not position as is the case in the public service.

➲ **Progress**: The Commissioner made note of the approach of the Department of National Defence and the Canadian Forces, which seek to improve the status of official languages within their organizations, and encouraged them to go beyond strategic policies and plans to achieve concrete results.

On March 1, 2007, Commissioner Fraser appeared before the Advisory Panel on the Funding and Oversight of Officers of Parliament to request additional funding required following the adoption of Bill C-2, now the *Federal Accountability Act*.

➲ **Result**: The Commissioner obtained the support of parliamentarians for the funding required to implement the internal audit function (a Treasury Board Secretariat policy in effect since April 1, 2006, with a development period over three years) and to ensure compliance with the *Access to Information Act*, to which the Office of the Commissioner has been subject since April 1, 2007.

On March 20, 2007, Commissioner Fraser appeared before the Standing Committee on Canadian Heritage to present his position on the examination of the Canadian Broadcasting Corporation's mandate. The Commissioner underlined the importance of the Canadian Broadcasting

Corporation as a critical medium for promoting, preserving and supporting Canadian culture. He favours efforts to serve English- and French-speaking minorities and reiterated the recommendation made by the Committee in 2003: The government by order-in-council should direct the CRTC to require Canada's direct-to-home satellite providers to carry the signals of all local television stations of the CBC and Radio-Canada. The Commissioner is of the opinion that increased multi-year and stable funding should be given to the Canadian Broadcasting Corporation.

The Office of the Commissioner plays a proactive role in ensuring compliance with the Act. Thanks to its monitoring role, in 2006-2007, the Office identified areas in which compliance with the Act appeared to be compromised. Swift action in co-operation with the institutions concerned ensured that solutions were found prior to potential complaints being filed. For example, the Office of the Commissioner intervened with the Royal Canadian Mint after a newspaper reported that the institution's Web pages devoted to coin recycling were not entirely bilingual.

➲ **Result**: The institution removed the Web link of the contract worker who was the source of the problem, and provided training to its call centre staff for answering any questions on the matter.

Since 2005, the government has been reviewing how language training is managed in the public service. Beginning on April 1, 2007, the new management model delegates responsibility for language training to departments without providing them with new resources. The Commissioner questions the ability of departments to manage and pay for such training activities. Although it is the government's responsibility to establish the parameters for managing language training, the Commissioner will continue to follow this issue closely to ensure language training remains accessible to all public servants.

Liaison

The Commissioner's regional offices intervene on a wide variety of matters involving the federal public service. This requires close co-operation with federal regional councils and their official language committees to organize events such as conferences, meetings and round tables to promote linguistic duality. The Office of the Commissioner also provides details on the *Official Languages Act* to organizations, encouraging them to offer higher quality services to Canadians and to change the organizational structure of the public service. The following are a few examples.

In Manitoba and Saskatchewan: In mid-February 2007, the Saskatchewan Federal Council, the Canada School of Public Service, the Institut français, St. Thomas More College, the Office of the Commissioner of Official Languages and other key actors organized two-day French immersion sessions to support language retention among bilingual employees in Saskatchewan. The sessions were held in Saskatoon and Regina and had about 60 participants.

➲ **Result**: A training session given in French in a unilingual region provided an excellent opportunity to promote one of Canada's official languages. In Manitoba, a meeting was held with official language champions from the province's federal council as well as key members

of the province's French-speaking community to discuss how best to promote official languages among federal public servants (in the case of provincial public servants, services in French) and official language minority communities. Since this meeting, the Office of the Commissioner has been working on a personalized and practical approach to official languages in Manitoba and Saskatchewan.

In Alberta – In Red Deer, about 40 members of the network of federal official languages coordinators attended a workshop that explained current language-of-work rights in a unilingual region such as Alberta.

➲ **Result**: The workshop described the tools and support available to bilingual employees.

Second Strategic Priority: The vitality of official language minority communities in Canada is enhanced in sectors affecting the communities' development.

Strategic Results:

2.1 Federal institutions and other organizations subject to the *Official Languages Act* consider the needs of linguistic minority communities in the development and implementation of their strategic plans, policies and programs and are accountable for measures taken and results achieved.

2.2 The federal government encourages provincial and territorial governments to adopt measures to enhance the vitality of linguistic minority communities.

Investigations

In 2006-2007, 137 admissible complaints addressed Part VII of the Act regarding the advancement of English and French, compared to six complaints in 2005-2006. Over 100 of these complaints dealt with the results of an expenditure review carried out by the federal government of over 70 programs and organizations. The complainants were specifically concerned with the repercussions of budget cutbacks and related changes for the official language minority communities. An investigation was undertaken regarding decisions affecting nine major government programs and organizations, including the Court Challenges Program. The investigation is based on 41 interviews and consultations with federal institutions, complainants (including minority language associations) and some external agencies.

➲ **Progress**: The investigation was carried out through 2006-2007, and a preliminary report was sent to the complainants and institutions in May 2007 for their comments. The analysis of comments received will continue in 2007-2008.

Court Interventions

The *Fédération Franco-ténoise* (FFT) Case: In April 2006, the Supreme Court of the Northwest Territories rendered a decision to the effect that the government of the Northwest Territories (NWT) failed in its linguistic obligations under the *Official Languages Act*. Commissioner Adam had intervened before the Supreme Court of the Northwest Territories to clarify the linguistic obligations of the Northwest Territories and the Government of Canada in implementing the

language regime in the Northwest Territories. The Court found that it was not necessary to give an opinion on the application of the *Charter of Rights and Freedoms*, and rejected the FFT's action against the Government of Canada. The decision was appealed both by the NWT, which disputes the nature of its obligations and the Court's conclusion regarding its failure in terms of linguistic obligations under the *Official Languages Act*, and by the Fédération Franco-ténoise, which disputes mainly the Court's rejection of its action against the Government of Canada.

➲ **Progress**: In March 2007, the Commissioner acquired intervener status before the Court of Appeal of the Northwest Territories. The Commissioner will have the opportunity to present his position regarding the scope of the Northwest Territories and Government of Canada's obligations concerning the linguistic rights of French-speaking citizens of the Northwest Territories, specifically pursuant to the *Canadian Charter of Rights and Freedoms* and Part VII of the *Official Languages Act*.

Audit

During the period in question, the Office of the Commissioner published an audit supporting this second strategic priority:

Audit of the Implementation of Section 41 of Part VII of the Official Languages Act at the Canadian Radio-television and Telecommunications Commission (February 2007)

This audit, carried out at the Canadian Radio-television and Telecommunications Commission (CRTC), which examines to what extent the CRTC meets its obligations under Part VII of the Act (advancement of English and French), also involves the Office of the Commissioner's third strategic priority on the equality of English and French as a value of Canadian society (see page 31 of this report).

Since 2003, the CRTC has been a designated agency and must prepare an action plan for the implementation of section 41 of the Act. Despite good work since 2003, the CRTC does not always meet its obligations. It must continue improving, especially in light of legislative changes made to Part VII of the Act in November 2005.

➲ **Result**: Commissioner Fraser made 10 recommendations to the CRTC. Specifically, he encouraged it to develop a structured and coordinated system for consulting national and regional organizations of various official language minority communities about their specific needs in radio-television broadcasting and telecommunications. He also recommended the CRTC review its policies that could have a significant impact on these communities or on the promotion of linguistic duality, and ensure section 41 of the Act is considered during the review.

The CRTC adopted an action plan to implement the Commissioner's recommendations, and the audit will be subject to a follow-up during fiscal 2008-2009.

Performance Measurement

The evaluation criteria of the performance report cards for Part VII were revised to take legislative changes into account.

➲ **Result**: Analysis of the performance report card results for the 37 institutions evaluated in 2006-2007 indicates that the vast majority of management committees have been made aware enough of Part VII amendments to begin considering the required changes. However, most of the evaluated institutions have not yet reviewed their policies and programs to determine which ones could have an impact on the development of official language minority communities and the promotion of linguistic duality.

Promotion and Education

During the period concerned, Commissioner Adam released two studies:

A Sharper View: Evaluating the Vitality of Official Language Communities (May 2006)

Released on May 18, 2006 in Montréal, this study deals with current knowledge on community vitality and ways of measuring it. The authors provide an in-depth analysis in which they recommend ideas for reinforcing the vitality of official language communities to community representatives, researchers and various levels of government. About 100 community leaders, researchers and public servants attended the release, which was covered by Montréal English-language print media. The Office of the Commissioner's Atlantic, Manitoba and Saskatchewan staff also made presentations following the study release.

➲ **Result**: The study made federal institutions more aware of various facets of vitality and the importance of research. The study also encouraged various levels of government to adopt a consistent approach to vitality based on indicators, to develop more targeted actions and achieve concrete results for Canadian society.

Drawing the Line: The Impact of Readjusting the Electoral Boundaries on the Official Language Minority Communities (June 2006)

Released on June 6, 2006 in Ottawa, the study on the impact of electoral redistricting on official language minority communities was an attempt to assess how electoral boundaries commissions were fulfilling their commitment to enhance the vitality of official language minority communities in Canada. Federal redistricting is done after each decennial census. An electoral boundaries commission is set up in each province to consider the development and movement of the Canadian population and to ensure effective representation in the House of Commons. The commissions are federal institutions subject to the *Official Languages Act*. Therefore, apart from the obligation to communicate with Canadians in both official languages, the commissions must also ensure they respect the government's commitment to enhance the vitality of minority English- and French-language communities in Canada, as set out in Part VII of the Act. Consequently, they must consider the repercussions of their decisions on official language minority communities.

➲ **Result**: The study indicates it would be appropriate to amend the Act concerning the revision of electoral boundaries and the mechanisms used by the commissions to ensure official language minority communities benefit from due protection. Commissioner Adam made 10 recommendations to this effect, to the government and to Elections Canada. The French-language media in New Brunswick and Northern Ontario reiterated our messages regarding the federal government's obligation to respect Part VII of the Act, and several presentations have been delivered by the Office of the Commissioner's regional staff.

During interviews and speeches at the start of his mandate, Commissioner Fraser promoted the new Part VII to make the general public more aware of this issue.

Other promotional and educational activities also took place during the period concerned.

In the Atlantic provinces – Representatives of the Association francophone des parents du Nouveau-Brunswick and members of the Forum de concertation des organismes acadiens in New Brunswick heard presentations by the Office of the Commissioner's staff on amendments to Part VII of the Act, and joined in discussions on everyone's role in implementing these changes.

In the National Capital Region – The Office of the Commissioner held a day of reflection on the implementation of positive measures (amendments to Part VII of the Act). This was a first reflection on the legislative amendments of November 2005, and was organized to define the concept of positive measures, develop implementation principles and gather concrete examples to inspire institutions. The event brought together about 30 participants from English- and French-language communities, representing several sectors related to the development of official language minority communities, such as arts and culture, economic development, health, education and immigration.

➲ **Result**: This event provided the Office of the Commissioner with a better understanding of the community's perspective on positive measures and an opportunity to propose implementation principles to the government. Participants from various minority communities across the country reflected on the scope of the new Part VII and shared examples of concrete positive measures. Chapter 3 of the *2006-2007 Annual Report* contains further details on positive measures.

The Office of the Commissioner joined Justice Canada in organizing a seminar on legal questions raised by the November 2005 legislative amendments to the *Official Languages Act*.

➲ **Result**: This event was an opportunity for approximately 100 participants, including lawyers from the Department of Justice, official language champions, and law professors and legal officers from the university environment, to take a closer look at the various interpretation issues raised by Part VII amendments. The concepts were explored in terms of right to equality, Aboriginal law and international law.

In Ontario – Commissioner Fraser went to Sudbury for International Francophonie Day on March 22. The Office of the Commissioner contributed to the organization of an

interdepartmental meeting of public servants from federal, provincial and municipal governments.

➲ **Result**: Joint strategies were developed to support the work of the minority community. The Commissioner also used this visit to meet with the mayor of the city and the executive director of Collège Boréal.

In Alberta and British Columbia – After attending the Office of the Commissioner's educational sessions on Part VII of the Act, federal regional directors and regional official language coordinators were more familiar with what is meant by positive measures and substantive equality. Infrastructure Canada and the Department of Western Economic Diversification in Alberta, as well as the Canada Mortgage and Housing Corporation (CMHC) and the Department of Western Economic Diversification in British Columbia, indicated they would meet with representatives of official language communities to discuss partnerships with other levels of government.

➲ **Result**: These partnerships raise the profile of official language minority communities in these two provinces and increase possible intergovernmental co-operation in community projects and initiatives. The meetings in Alberta also contributed to the development of a provincial French-language services strategy. In British Columbia, the strategy developed with the CMHC will allow the community to participate in preparation of the multi-year cultural program for the Grandville Island tourism site, as well as the French-speaking community to participate in discussions regarding the site's administration and management.

Monitoring

Spring 2007 saw the start of the fifth and final year of application of the Government of Canada's *Action Plan for Official Languages* (Action Plan). To assess its implementation, a questionnaire was sent to key institutions targeted by the Action Plan; results of the analysis were published in Chapter 2 of the *2006-2007 Annual Report*. As the report describes, although some concrete effects are beginning to be felt in several areas targeted by the Action Plan, the government dealt a blow to it by abolishing the Official Languages Innovation Fund, which financed projects to improve the quality of services and language of work within the federal public service. Sectors that have seen progress include the Strategic Plan to Foster Immigration to Francophone Minority Communities, which was launched in September 2006 but did not include a financing plan. The Commissioner asked Citizenship and Immigration Canada to inquire about the situation and ensure that the Strategic Plan receives adequate, stable and ongoing funding.

The health sectors continue to develop in a generally positive way, but there were some errors and delays. The financing of certain aspects of health services under the Action Plan was threatened, and the Commissioner asked Health Canada to ensure that financing is maintained.

➲ **Result**: Four out of the five recommendations in the *Annual Report* are addressed to the Minister responsible for Official Languages, including one that asked the Minister to create an initiative to succeed the Action Plan and build on its successes.

Furthermore, the *Annual Report* describes monitoring the Official Languages Program's governance structure, which includes the Official Languages Accountability and Coordination Framework (the Framework), a component of the Action Plan.

➲ **Result**: The Commissioner recommends that the Minister responsible for Official Languages review the Framework and take into account changes made to the governance of official languages and the new obligations under Part VII of the Act.

The Canadian Radio-television and Telecommunications Commission (CRTC) – In addition to the CRTC audit (reported under the second strategic priority of this report), Commissioner Adam submitted two briefs to the CRTC in September 2006. The first addressed television policy and the second the environment in which the Canadian radio broadcasting system must develop. In both reports, the Commissioner asked the CRTC to ensure that the end of direct analogue transmission in no way reduces the level of French-language services available to Canadians.

➲ **Result**: In December 2006, the CRTC submitted to the Minister of Canadian Heritage its report on the environment in which the Canadian radio broadcasting system must develop. The position of the Commissioner is quoted three times in the report. In May 2007, the CRTC published its new television policy. To ensure the continuity of television services throughout Canada, the CRTC will allow some stations to continue broadcasting in analogue mode past the August 31, 2011 deadline, specifically in remote areas and in the Great North.

Liaison

The advancement of linguistic duality in Canada largely depends on the involvement of various levels of government and official language minority communities. The Office of the Commissioner works closely with these partners on an ongoing basis. For example:

In the Atlantic provinces – The Commissioner's representative participated in a work committee with the Association francophone des municipalités du Nouveau-Brunswick, which is carrying out research on the geographic organization of government services in New Brunswick.

➲ **Progress**: Members of the work committee were made aware of the specific needs of the province's official language communities, which enabled them to better understand the potential impact of changes affecting delivery of government services in French.

In Ontario – Meetings took place with senior officials of the Ontario Ministry of Education to discuss the social marketing project developed by the Commissioner's Regional Office in Toronto.

➲ **Result**: These meetings were an opportunity to identify ways for the Ontario government to increase the value of linguistic duality. In October 2006, the theme of promotion was included in the Symposium sur la politique d'aménagement linguistique held by the Ontario Ministry of Education, and a workshop dealing specifically with Part VII amendments and promotion was added to the event program. A permanent task force on French-language education will

develop a recommendation for the Ontario Minister of Education to fund a social marketing campaign for recruiting and retaining students.

In Manitoba – The Office of the Commissioner met with the Manitoba Federal Council's champions of the *Official Languages Act* and key members of the province's French-speaking community to discuss the best ways of promoting official languages among federal public servants (in the case of provincial public servants, French language services) and members of official language minority communities.

➲ **Result**: Since this meeting, the Office of the Commissioner has worked on a personalized and practical approach to official languages in Manitoba and Saskatchewan, which will continue in 2007-2008.

In Saskatchewan – In November 2006, Canadian Heritage facilitated a theme day on official languages for the Saskatchewan Federal Council, provincial resource people and members of the Saskatchewan French-speaking community. The Office of the Commissioner contributed to this event by giving an information session on amendments to the Act. The schedule for the day also involved presentations by official language minority communities, the Saskatchewan Federal Council, Saskatchewan's Office for the Coordination of Francophone Affairs and Canadian Heritage.

➲ **Result**: This event attracted about 35 participants who became better acquainted with the Act. The focus was on the participation of federal institutions and networking to resolve problems and work together on official languages. The day also helped strengthen the tripartite co-operation approach in Saskatchewan and highlight the priorities of official language minority communities.

In Alberta – Meetings were held with Infrastructure Canada to discuss Part VII amendments and examine innovative ways the department can help Alberta's official language minority communities. Other meetings followed with the Association canadienne-française de l'Alberta (ACFA), Alberta's Francophone Secretariat and Infrastructure Canada to create a trilateral table with representatives of Alberta's provincial government and the municipal governments of Calgary and Edmonton.

➲ **Result**: These sessions encouraged the ACFA to meet the federal Minister of Industry Canada and senior officials with the Privy Council Office and Infrastructure Canada to discuss the initiative and obtain increased support. The initiative raised the profile of official language minority communities and allowed for a better understanding of their concerns and priorities.

Third Strategic Priority: The equality of English and French is recognized and fostered as a value in an increasingly diverse Canadian society.

Strategic Results:

3.1 Federal institutions and other organizations subject to the Act integrate linguistic duality into the development and implementation of their policies and programs.

3.2 There is sustained public support for linguistic duality as a value in Canadian society.

Promotion and Education

In 2006-2007, the Office of the Commissioner adopted a communication strategy to better explain the rationale, scope and application of the Act by focusing on the new Part VII. The goal is to ensure full compliance and strengthen linguistic duality in Canada by promoting second language learning and building bridges between official language communities and ethno-cultural communities.

The Office of the Commissioner reached out to Canadians through media interviews, speeches and attendance at national and international public forums.

During two conferences celebrating the 25th anniversary of the *Canadian Charter of Rights and Freedoms* held in Montréal and Ottawa, the Commissioner described the Charter's major impact on the lives of all Canadians and its significance for official language communities throughout Canada.

The Commissioner recalled that the Charter established the foundations of a dialogue based on respect, which contributed to the gradual strengthening of our language policy and allowed for the November 2005 amendments to the *Official Languages Act*. Finally, the Commissioner highlighted young Canadians' adherence to the values of the Charter, which is expressed in their perception of themselves, their country and the world at large. He presented the video *One Charter, Two Languages, A Thousand and One Voices* for the first time, in which young Canadians from various backgrounds explain what the *Canadian Charter of Rights and Freedoms* and linguistic duality mean to them. The video can be viewed on the Office of the Commissioner's Web site; it has been used by some in the education field and will be made available to the public through various promotional activities.

The Commissioner launched his biennial publication *Language Rights*, prepared in 2006-2007, which analyses major legal decisions related to language rights rendered in Canada in 2005 and 2006. The number and variety of issues addressed in the publication speak of the courts' essential role in promoting Canada's linguistic duality.

➲ **Result**: The Commissioner hopes that recent case law will encourage all key actors to work together to enrich and solidify Canada's linguistic regime.

Commissioner Fraser took advantage of the public interest in his appointment to participate in a series of in-depth interviews that generated 134 news stories in Canadian media. The main messages conveyed were the inclusive character of linguistic duality and the importance of

promoting it, specifically at Canadian universities. Media coverage was followed by about 100 letters sent to the Commissioner in the subsequent weeks.

Furthermore, during the Commissioner's travels, and with the support of staff from head office and the regions, he met with official language community groups and majority communities in British Columbia, Alberta, Ontario and Halifax. During his trip to British Columbia, he took the opportunity to meet with the Chief Executive Officer of the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, as well as members of the steering committee. The focus of the discussions was on the progress made to use both official languages in the organization and broadcasting of the Games. The Commissioner expressed his concern over the place of French in the Olympic movement, in high-level sports in Canada and in the organization of the Games.

The Office of the Commissioner is often asked to share its knowledge, experience and expertise with other countries. For instance, the President of the Finnish Parliament invited Commissioner Fraser to deliver a speech during a seminar entitled "Living Bilingualism" held by the Parliament of Finland. In Belgium, the Commissioner met with language policy experts, senior officials responsible for language issues, heads of language community groups and representatives of the Canadian mission to the European Union to discuss language policies. In the United Kingdom and Ireland, he participated in a conference on The Proposed Irish Language Act for Northern Ireland, and met with members of the Welsh Language Board, as well as the Commissioner of Official Languages of the Republic of Ireland.

➲ **Result**: Through his international presence, the Commissioner raised the profile of linguistic duality as a fundamental value of Canadian society and identity.

Commissioner Fraser's *2006-2007 Annual Report*, the first in his seven-year term, attracted a great deal of attention from Canadian media and the country's political circles. The 346 news stories and editorials by newspapers, radio and television about the *Annual Report* reached a potential audience of 20 594 000 people. The Commissioner used the opportunity to emphasize the need for the Government of Canada to be proactive in using official languages, fulfilling its linguistic obligations and following up on the *Action Plan for Official Languages*. The Commissioner also commented on the poor performance of the federal public service regarding the active offer of services when these are available in both official languages. The *Annual Report*'s findings have been quoted by a number of official language community leaders, the French teaching profession and parliamentarians. The launch of the *Annual Report* attracted nearly 500 new users to the Office of the Commissioner's Web site.

The Office of the Commissioner's Web site, the publication of various reports, audits and studies, as well as correspondence (traditional and e-mail), are effective means of communicating to promote linguistic duality. Approximately 450 inquiries from the public were answered in 2006-2007.

The Commissioner also uses other means to promote linguistic duality, such as his newsletter *Infoaction*, which is available on the Office of the Commissioner's Web site. The newsletter

provides information on the activities of the Commissioner and his team and various topics of current interest related to official languages. The last issue appeared in February 2007.

Surveying public opinion is key to keeping abreast of Canadians' views on official languages and measuring the evolution of those views. The Office of the Commissioner asked Decima Research to add a few questions on official languages in an omnibus survey entitled *The Evolution of Public Opinion on Official Languages in Canada.* The results indicate significant and growing support among Canadians for linguistic duality and learning a second official language, which is a tribute to educational initiatives by the Office of the Commissioner and other partners in recent years.

Monitoring

A memorandum of understanding between the Government of Ontario and the City of Ottawa regarding bilingual services expired on March 31, 2007. The Office of the Commissioner urged federal, provincial and municipal governments to renew this agreement.

➲ **Progress**: The Office's actions contributed directly to renewed negotiations leading to the potential signature of a new memorandum of understanding.

In elite sports, the Office of the Commissioner works with Sport Canada to ensure sports organizations are able to provide equal quality services to athletes from both linguistic communities.

➲ **Result**: Sport Canada published new language standards for national sports organizations, which are in effect for the period 2006 to 2012.

Liaison

The Commissioner's representative in Quebec, as a member of the Steering Committee of Federal Institutions Responsible for Celebrations of the 400th Anniversary of the City of Québec in 2008, has provided strategic advice to ensure the presence and visibility of linguistic duality during the festivities.

The Office of the Commissioner asked NRG Research Group to conduct a situational analysis and benchmark study of the factors that affect Saskatchewanians' opinions and interests in terms of French culture and learning French. The goal was to develop a detailed profile of the perceptions of Saskatchewanians concerning French language and culture.

➲ **Result**: The profile will serve as a reference point to follow progress over the next five years. The report, entitled *French Culture and Learning French as a Second Language: Perceptions of the Saskatchewan Public* (January 2007), is available on the Office of the Commissioner's Web site.

Fourth Strategic Priority: The development and maintenance of an exemplary workplace and effective and efficient management.

Strategic Results:

4.1 A knowledge-based environment is encouraged, where sound and clear leadership prevails.

4.2 Risk management is integral to the modern management practices of the Office of the Commissioner.

Officers of Parliament set up a committee for sharing information on exemplary practices and lessons learned. The committee also examines ways to ensure the integrity of their role while remaining independent from government. For example, they recently developed a method of applying the new Treasury Board Secretariat policy on internal audits, and have signed an agreement to this effect with Treasury Board. Thus, they respect the spirit and intent of the new policy while safeguarding their independence from government and ensuring their accountability to Parliament. Since Treasury Board launched its Policy Suite Renewal Initiative, which requires officers of Parliament to participate in consultations, joint reviews of the relationship between officers of Parliament and central agencies are possible. A set of operating principles regarding this issue was developed by officers of Parliament and accepted by Treasury Board.

In 2006-2007, the Office of the Commissioner worked to meet the requirements of the Treasury Board Secretariat internal audit policy and the *Access to Information Act*, to which it has been subject since April 1, 2007, and to establish its evaluation function. As reported earlier, the Commissioner appeared before the Advisory Committee on the Financing and Oversight of Officers of Parliament and received support as well as the funding requested of Treasury Board.

➲ **Result**: The Office of the Commissioner is able to meet the new requirements of the Treasury Board Internal Audit Policy and *Access to Information Act* following Royal Assent of the *Federal Accountability Act*. It also takes the principles and practices of risk management into account through internal audits and assessments.

The Office of the Commissioner requires that its officials manage public funds and human resources rigorously and responsibly. Officials are provided with ongoing training. Also, the Corporate Services Branch regularly monitors procedures and ensures that required corrective measures are implemented.

To this end, all officials holding delegated authority have successfully completed knowledge validation exams. New incumbents to positions with delegated authority will take the mandatory training and validate their knowledge before being delegated authority.

➲ **Result**: The Office of the Commissioner's officials exercise their delegated authority in compliance with the requirements of the Canada Public Service Agency's Policy on Learning, Training and Development. Also, for the third consecutive year, the Office of the Commissioner received an unqualified opinion on its financial statements from the Office of the Auditor General of Canada.

The Office of the Commissioner ensured sound information and technology management by undertaking the second phase of its three-year action plan on information management and technology strategies.

➲ **Progress**: An analysis of the Office's capacity for information management was developed, and the Office of the Commissioner is pursuing its work to improve and promote sound information management principles and practices. Furthermore, recommendations have been developed and will be part of the action plan for fiscal 2007-2008.

In the wake of human resources management modernization, the Office of the Commissioner adopted a number of initiatives to ensure sound management of human resources. As required by the Public Service Commission of Canada, the Office of the Commissioner developed a staffing management framework and established a management accountability framework. This framework contains the essential accountability components of officials being delegated authority. It also provides for the monitoring of staffing activities. A policy and directives on sub-delegation of staffing authority, to make officials more accountable, were implemented in 2006-2007. Finally, the development of a classification framework was initiated and will be implemented in 2007-2008.

➲ **Result**: Through these measures, the Office of the Commissioner improves its compliance with the *Public Service Employment Act*, which describes requirements in terms of delegated authority and is in line with the Canada Public Service Agency classification policy framework. The Commissioner also decided to delegate staffing authority to the lowest possible level in the organization.

The Office of the Commissioner has determined its strategic priorities for human resources: employment equity, university recruitment, and retention of staff through personnel development. A corporate human resources plan will be established in 2007-2008.

The Office of the Commissioner strives constantly for a harmonious and efficient work environment. Following publication of the 2005 Public Service Employee Survey, work groups have been set up in each branch to address the main themes based on survey results, to adopt concrete methods, and to make improvements in the short and long term. An action plan on horizontal issues will be developed and implemented in fiscal 2007-2008.

Furthermore, in carrying out the Office of the Commissioner's mandate, staff members are dedicated to providing Canadians and other partners with high quality services. Individual learning plans are offered to all employees, and follow-up is carried out to ensure implementation. For example:

- Training sessions have been organized for investigators.
- *Official Languages Act* training is offered to all staff.
- Work tools have been developed to interpret the Act.
- A research group has been established to provide new research tools and a methodological guide for enhancing scientific expertise within the Office of the Commissioner.
- Training is provided on methodology to standardize research by the Office of the Commissioner.

The Office of the Commissioner also upgraded its Web site to become a focal point of information on linguistic duality in Canada. Full implementation will be carried out in 2007-2008.

The Office of the Commissioner is assessing its external audit function, and in 2006-2007 it implemented a consultation process to receive feedback from three federal institutions that had been the subject of previous audits: the Department of National Defence, Canada Post Corporation and Canada Border Services Agency.

➲ **Result**: Feedback from the institutions allowed for more focused planning of audits, and where applicable, modified the three-year 2007-2010 audit plan to account more for the context and reality of these institutions.

To increase the efficiency of our actions, a link was established with representatives of the Office of the Auditor General of Canada and the Canada Public Service Agency, which led to efficient and valuable sharing of audit-related information.

The Office of the Commissioner makes ongoing efforts to better integrate its various functions: investigations, audits, performance measurement and court interventions. To position the Office of the Commissioner in a strategic process and strengthen its ombudsman role, work has begun to improve existing processes and identify alternative and proactive approaches that could be applied to increase compliance with the Act. This work will continue in 2007-2008.

SECTION III – SUPPLEMENTARY INFORMATION

Organizational Information

In carrying out his mandate of ensuring full recognition and widespread use of English and French within Canadian society, federal institutions and other organizations subject to the Act, the Commissioner of Official Languages is supported by his staff, which is divided between the National Capital Region and regional offices across Canada.

Parliament

Commissioner of Official Languages

- Commissioner's Office
- Compliance Assurance
  - Investigations and Follow-ups
  - Performance Measurement and Audit
- Policy and Communications
  - Policy and Research
  - Strategic Communications and Production
  - Strategic Planning
- Legal Affairs
- Corporate Services
  - Human Resources
  - Finance and Administration
  - Information Management and Information Technology

Regional Offices

- Atlantic (Moncton)
- Quebec (Montréal)
- Ontario (Toronto, Sudbury)
- Manitoba and Saskatchewan (Winnipeg, Regina)
- Alberta, B.C., N.W.T., Nunavut and Yukon (Edmonton, Vancouver)

Table 1: Comparison of Planned to Actual Spending (including Full-Time Equivalents)

(in thousands of dollars)

			2006-2007			
	2004-05 Actual	2005-06 Actual	Main Estimates	Planned Spending	Total Authorities	Total Actuals
Investigations	8,924.2	8,173.6	8,909.0	8,909.0	9,215.9	9,014.9
Policy and Communications	9,371.7	9,628.8	10,220.0	10,220.0	10,731.1	10,817.3*
Total	**18,295.9**	**17,802.4**	**19,129.0**	**19,129.0**	**19,947.0**	**19,832.2**
Less: Non-Respendable revenue	-	-	N/A	-	N/A	2.9
Plus: Cost of services received without charge	2,671.7	2,647.0	N/A	2,757.0	N/A	2,790.0
Total Office's Spending	**20,967.6**	**20,449.4**	**N/A**	**21,886.0**	**N/A**	**22,619.3**
Full-Time Equivalents	**152.9**	**149.5**	**N/A**	**164.0**	**N/A**	**154.0**

* Under the Policy and Communications activity, actual expenditures exceeded the authorized amount by $86,200. Investigations (Compliance Assurance) cost $201,000 less than authorized. The Office of the Commissioner may incur more expenses than authorized in one or another activity as long as the organization's total expenditures do not exceed their authorized amount.

Table 2: Resources by Program Activity

(in thousands of dollars)

2006-2007				
	Budgetary			
Program Activity	Operating	Total Gross Budgetary Expenditures	Less Respendable Revenue	Total Net Budgetary Expenditures
Investigations				
Main Estimates	8,909.0	8,909.0	-	8,909.0
Planned Spending	*8,909.0*	*8,909.0*	-	*8,909.0*
Total Authorities	9,215.9	9,215.9	-	9,215.9
Actual Spending	*9,014.9*	*9,014.9*	-	*9,014.9*
Policy and Communications				
Main Estimates	10,220.0	10,220.0	-	10,220.0
Planned Spending	*10,220.0*	*10,220.0*	-	*10,220.0*
Total Authorities	10,731.1	10,731.1	-	10,731.1
Actual Spending	*10,817.3*	*10,817.3*	-	*10,817.3*
Total Office's Resources				
Main Estimates	19,129.0	19,129.0	-	19,129.0
Planned Spending	*19,129.0*	*19,129.0*	-	*19,129.0*
Total Authorities	19,947.0	19,947.0	-	19,947.0
Actual Spending	*19,832.2*	*19,832.2*	-	*19,832.2*

Table 3: Voted and Statutory Items

(in thousands of dollars)

Vote or Statutory Item	Truncated Vote or Statutory Wording	2006-2007			
		Main Estimates	Planned Spending	Total Authorities	Total Actuals
20	Program Expenditures	17,008.0	17,008.0	18,043.0	17,931.3
(S)	Contributions to employee benefit plans	2,121.0	2,121.0	1,900.8	1,900.9
(S)	Crown Assets Surplus	-	-	3.2	-
	Total	**19,129.0**	**19,129.0**	**19,947.0**	**19,832.2**

Table 4: Services Received Without Charge

(in thousands of dollars)

	2006-2007 Total Actuals
Accommodation provided by Public Works and Government Services Canada	1,770.0
Contributions covering the employer's share of employees' insurance premiums and expenditures paid by Treasury Board Secretariat (excluding revolving funds)	918.0
Audit services provided by the Office of the Auditor General of Canada	95.0
Cost of payroll services provided by Public Works and Government Services Canada	7.0
Total 2006-2007 Services received without charge	**2,790.0**

Table 5: Sources of Non-Respendable Revenue

(in thousands of dollars)

	2004-05 Actual	2005-06 Actual	2006-2007			
			Main Estimates	Planned Revenue	Total Authorities	Total Actuals
Investigations						
Proceeds from the disposal of surplus Crown assets	-	-	N/A	-	N/A	1.2
Policy and Communications						
Proceeds from the disposal of surplus Crown assets	-	-	N/A	-	N/A	1.7
Total Non-Respendable Revenue	-	-	**N/A**	-	**N/A**	**2.9**

Table 6: Resource Requirements by Branch

(in thousands of dollars)

2006-2007			
	Program Activity		
Branch	Investigations	Policy and Communications	Total
Investigations			
Planned Spending	5,585.0		5,585.0
Actual Spending	5,186.2		5,186.2
Policy and Communications			
Planned Spending		6,969.0	6,969.0
Actual Spending		6,728.5	6,728.5
Legal Affairs			
Planned Spending	1,064.0		1,064.0
Actual Spending	987.3		987.3
Corporate Services			
Planned Spending	2,260.0	3,251.0	5,511.0
Actual Spending	2,841.4	4,088.8	6,930.2
Total Office's Resources			
Planned Spending	8,909.0	10,220.0	19,129.0
Actual Spending	9,014.9	10,817.3	19,832.2

Table 7: User Fees

The Office of the Commissioner of Official Languages became subject to the *Access to Information Act* effective April 1, 2007. It will report the fees collected under this *Act* starting in 2007-2008.

Table 8: Financial Statements

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Management Responsibility for Financial Statements

Responsibility for the integrity and objectivity of the accompanying financial statements of the Office of the Commissioner of Official Languages for the year ended March 31, 2007 and all information contained in this report rests with the Office's management. These financial statements have been prepared by management in accordance with accounting policies issued by the Treasury Board of Canada Secretariat, which are consistent with Canadian generally accepted accounting principles for the public sector, and year-end instructions issued by the Office of the Comptroller General.

Management is responsible for the integrity and objectivity of the information in these financial statements. Some of the information in the financial statements is based on management's best estimates and judgment and gives due consideration to materiality. To fulfill its accounting and reporting responsibilities, management maintains a set of accounts that provides a centralized record of the Office's financial transactions. Financial information submitted to the Public Accounts of Canada and included in the Office's Departmental Performance Report is consistent with these financial statements.

Management maintains a system of financial management and internal control designed to provide reasonable assurance that financial information is reliable, that assets are safeguarded and that transactions are in accordance with the *Financial Administration Act,* are executed in accordance with prescribed regulations, within Parliamentary authorities, and are properly recorded to maintain accountability of Government funds. Management also seeks to ensure the objectivity and integrity of data in its financial statements by careful selection, training and development of qualified staff, by organizational arrangements that provide appropriate divisions of responsibility, and by communication programs aimed at ensuring that regulations, policies, standards and managerial authorities are understood throughout the Office.

The Auditor General of Canada conducts an independent audit and expresses an opinion on the accompanying financial statements.

Graham Fraser
Commissioner of Official Languages

Toby Fyfe
Senior Financial Officer
Assistant Commissioner
Corporate Services

Ottawa, Canada
July 25, 2007

Auditor General of Canada
Vérificatrice générale du Canada

AUDITOR'S REPORT

To the Speaker of the House of Commons and the Speaker of the Senate

I have audited the statement of financial position of the Office of the Commissioner of Official Languages as at March 31, 2007 and the statements of operations, equity of Canada and cash flow for the year then ended. These financial statements are the responsibility of the Office's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Office as at March 31, 2007 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Further, in my opinion, the transactions of the Office that have come to my notice during my audit of the financial statements have, in all significant respects, been in accordance with the *Financial Administration Act* and regulations and the *Official Languages Act*.

Sheila Fraser

Sheila Fraser, FCA
Auditor General of Canada

Ottawa, Canada
July 25, 2007

240 rue Sparks Street, Ottawa, Ontario K1A 0G6

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Statement of Financial Position
At March 31

	2007	2006
Assets		
Financial assets		
Cash	$ 3,178	$ 3,426
Due from the Consolidated Revenue Fund	2,572,716	1,329,415
Accounts receivable from other Government departments	377,494	162,102
Total financial assets	2,953,388	1,494,943
Non-financial assets		
Prepaid expenses	4,203	9,648
Tangible capital assets (Note 4)	2,531,710	1,462,551
Total non-financial assets	2,535,913	1,472,199
TOTAL	**$ 5,489,301**	**$ 2,967,142**
Liabilities		
Accounts payable and accrued liabilities from other Government departments	$ 2,975,944	$ 1,492,886
Provision for vacation pay and compensatory leave	689,101	770,360
Employee severance benefits (Note 5)	2,296,273	2,339,325
Total liabilities	5,961,318	4,602,571
Equity of Canada	(472,017)	(1,635,429)
TOTAL	**$ 5,489,301**	**$ 2,967,142**

Contingent liabilities (Note 8)
Contractual obligations (Note 9)

The accompanying notes are an integral part of these financial statements.

Graham Fraser
Commissioner of Official Languages

Toby Fyfe
Senior Financial Officer
Assistant Commissioner Corporate Services

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Statement of Operations
For the year ended March 31

	2007			2006
Operating Expenses	**Investigations**	**Policy and Communications**	**Total**	
Salaries and employee benefits	$ 7,025,083	$ 7,142,485	$ 14,167,568	$ 14,041,880
Professional and special services	1,279,390	2,168,775	3,448,165	2,857,900
Accommodation	725,700	1,044,300	1,770,000	1,700,000
Transportation and telecommunications	367,499	518,668	886,167	969,253
Amortization of tangible capital assets	199,645	287,293	486,938	460,768
Utilities, materials and supplies	102,878	175,182	278,060	195,437
Communication and printing	3,856	167,535	171,391	466,942
Rentals of photocopiers and other items	42,659	71,851	114,510	136,520
Repairs and maintenance	22,744	51,004	73,748	123,495
Other	3,880	(625)	3,255	4,450
Net cost of operations	**$ 9,773,334**	**$ 11,626,468**	**$ 21,399,802**	**$ 20,956,645**

The accompanying notes are an integral part of these financial statements.

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Statement of Equity of Canada
For the year ended March 31

	2007	2006
Equity of Canada, beginning of the year	$ (1,635,429)	$ (1,070,622)
Net cost of operations	(21,399,802)	(20,956,645)
Net cash provided by Government	18,529,913	17,937,220
Change in due from Consolidated Revenue Fund	1,243,301	(192,382)
Services provided without charge by other government departments (Note 7)	2,790,000	2,647,000
Equity of Canada, end of the year	**$ (472,017)**	**$ (1,635,429)**

The accompanying notes are an integral part of these financial statements.

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Statement of Cash Flow
For the year ended March 31

	2007	2006
Operating activities		
Net cost of operations	$ 21,399,802	$ 20,956,645
Non-cash items:		
Amortization of tangible capital assets	(486,938)	(460,768)
Gain on disposal of tangible capital assets	2,808	---
Services provided without charge by other government departments (Note 7)	(2,790,000)	(2,647,000)
Variation in Statement of Financial Position:		
Decrease (Increase) in liabilities	(1,358,747)	167,374
Increase (Decrease) in accounts receivables	215,392	(276,979)
Increase (Decrease) in prepaid expenses	(5,445)	(17,661)
Cash used by operating activities	16,976,872	17,721,611
Capital investment activities		
Acquisitions of tangible capital assets	1,556,097	216,224
Proceeds from disposal of tangible capital assets	(2,808)	---
Cash used by investment activities	1,553,289	216,224
Financing activities		
Net cash provided by Government of Canada	(18,529,913)	(17,937,220)
Net Cash Used	248	615
Cash, beginning of year	3,426	4,041
Cash, end of year	**$ 3,178**	**$ 3,426**

The accompanying notes are an integral part of these financial statements.

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Notes to the Financial Statements
For the year ended March 31, 2007

1. Authority and Objectives

The Parliament of Canada adopted the first *Official Languages Act* in 1969. This *Act* provided that English and French would henceforth have "equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada."

A new *Official Languages Act* came into force in 1988 and was amended on November 25, 2005. The *Act* sets out three basic objectives of the Government of Canada:

a) ensure respect for English and French as official languages of Canada, and ensure equality of status and equal rights and privileges as to their use in all federal institutions;

b) set out the powers, duties and functions of federal institutions with respect to the official languages of Canada;

c) support the development of English and French linguistic minority communities and generally advance the equality of status and use of the English and French languages within Canadian society.

The Office of the Commissioner of Official Languages (Office), which serves the public from its offices in Ottawa and its five regional offices, supports the Commissioner of Official Languages in fulfilling his mandate. The mandate of the Commissioner consists of taking all necessary measures to ensure recognition of the status of each of the official languages and compliance with the spirit and letter of the *Official Languages Act* in the administration of the affairs of federal institutions, including any of their activities relating to the advancement of English and French in Canadian society.

The Office is named in Schedule I.1 of the *Financial Administration Act* (FAA) and is funded through annual appropriations.

The Commissioner of Official Languages is appointed after approval of the appointment by resolution of the Senate and the House of Commons for a seven-year term (renewable). The Commissioner reports directly to Parliament.

2. Significant Accounting Policies

a) Basis of presentation

These financial statements have been prepared on an accrual basis of accounting in accordance with accounting policies issued by the Treasury Board of Canada Secretariat, which are consistent with Canadian generally accepted accounting principles for the public sector, and year-end instructions issued by the Office of the Comptroller General.

b) Parliamentary appropriations

The Office of the Commissioner of Official Languages is funded through annual parliamentary appropriations. Appropriations provided to the Office do not parallel financial reporting according to Canadian generally accepted accounting principles for the public sector. They are based in a large part on cash flow requirements. Consequently, items recognized in the statement of operations and the statement of financial position are not necessarily the same as those provided through appropriations from Parliament. Note 3 provides information regarding the source and disposition of these authorities and provides a high-level reconciliation between the two bases of reporting.

c) Net cash provided by Government

The Office operates within the Consolidated Revenue Fund (CRF), which is administered by the Receiver General for Canada. All cash received by the Office is deposited to the CRF and all cash disbursements made by the Office are paid from the CRF. Net cash provided by Government is the difference between all cash receipts and all cash disbursements including transactions between departments of the federal government.

d) Due from the Consolidated Revenue Fund

Due from the CRF represents amounts of cash that the Office is entitled to draw from the Consolidated Revenue Fund, without further appropriations, in order to discharge its liabilities.

e) Receivables

Receivables are stated at amounts expected to be ultimately realized. A provision is made for receivables where recovery is considered uncertain.

f) **Tangible capital assets**

The Office records as capital assets all expenses providing multi year benefits to the Office and having an initial cost of $1,000 or more. Similar items under $1,000 are expensed in the Statement of Operations.

Amortization of capital assets is done on a straight-line basis over the estimated useful life of the capital asset as follows:

Asset Class	Amortization Period
Machinery and equipment	5 years
Informatics hardware	4 years
Furniture	5 years
Informatics software	3 years
Motor vehicles	7 years
Leasehold improvements	Term of the lease

g) **Employee future benefits**

i. **Vacation pay and compensatory leave**

Employee vacation pay and compensatory leave are expensed as the benefit accrues to employees under their respective terms of employment. The liability for vacation pay and compensatory leave is calculated at the salary levels in effect at the end of the year for all unused vacation pay and compensatory leave benefits accruing to employees. Employee vacation-pay liabilities payable on cessation of employment represent obligations of the Office that are normally funded through future years' appropriations.

ii. **Employee severance benefits**

Employees are entitled to severance benefits, as provided for under labour contracts and conditions of employment. The cost of these benefits is accrued as employees render the services necessary to earn them. The obligation relating to the benefits earned by employees is calculated using information derived from the results of the actuarially determined liability for employee severance benefits for the Government as a whole.

iii. Contributions to pension plan

The Office's eligible employees participate in the Public Service Pension Plan, a multi-employer plan administered by the Government of Canada. The Office's contributions reflect the full cost as employer. This amount is currently based on a multiple of an employee's contribution and may change over time depending on the experience of the Plan. The Office's contributions are expensed during the year in which the services are rendered and represent the total pension obligation of the Office. The Office is not currently required to make contributions with respect to any actuarial deficiencies of the Public Service Pension Plan.

iv. Other benefits

The Government of Canada sponsors a variety of other benefit plans, which cover the employees of the Office. These include health care, dental and insurance plans for which no costs are charged to the Office. In these cases, an estimated cost is recorded as an operating expense under the item "Services provided without charge by other government departments". The Government of Canada also sponsors workers' compensation benefits available across Canada. The Office is charged for its share of the annual benefit payments incurred under this Plan. These amounts represent the Office's contribution to the Plan and they are recorded by the Office as an expense in the period incurred. As a participant, the Office has no other obligation to any of these plans in addition to its annual contributions.

h) Services provided without charge by other government departments and agencies

Services provided without charge by other government departments and agencies are recorded as operating expenses at their estimated cost. A corresponding amount is reported in the Statement of Equity of Canada.

i) Contingent liabilities

Contingent liabilities are potential liabilities, which may become actual liabilities when one or more future events occur or fail to occur. To the extent that the future event is likely to occur or fail to occur, and a reasonable estimate of the loss can be made, an estimated liability is accrued and an expense recorded. If the likelihood is not determinable or an amount cannot be reasonably estimated, the contingency is disclosed in the notes to the financial statements.

j) Measurement uncertainty

Preparing financial statements in accordance with Treasury Board policies, which are consistent with Canadian generally accepted accounting principles for the public sector, and year-end instructions issued by the Office of the Comptroller General requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenues and expenses reported in the financial statements. At the time of preparation of these statements, management believes the estimates and assumptions to be reasonable. Actual results could differ significantly from these estimates. The most significant items where estimates are used are in determining the expected useful life of capital assets and in determining employee severance benefits. Management's estimates are reviewed periodically and, as adjustments become necessary, they are recorded in the financial statements in the year they become known.

3. Parliamentary Appropriations

The Office receives most of its funding through annual Parliamentary appropriations. Items recognized in the Statement of Operations and the Statement of Financial Position in one year may be funded through Parliamentary appropriations in prior, current or future years. Accordingly, the Office has different net results of operations for the year on a government funding basis than on an accrual accounting basis. The differences are reconciled in the following tables:

a) Reconciliation of net cost of operations to current year appropriations used

	2007	2006
Net cost of operations	$ 21,399,802	$ 20,956,645
Add or Less: Items affecting net cost of operations but not affecting appropriations		
Amortization of tangible capital assets	(486,938)	(460,768)
Services provided without charge by other government departments	(2,790,000)	(2,647,000)
Refund of prior year expenditures	8,117	28,499
Revenue not available for spending	2,876	287
Change in vacation pay and compensatory leave	81,259	(119,229)
Change in employee severance benefits	43,052	(161,454)
Other adjustments	13,687	(20,404)
	18,271,855	17,576,516
Add : Items not affecting net cost of operations but affecting appropriations		
Prepaid expenses	4,203	9,648
Tangible capital asset acquisitions	1,556,097	216,224
Current year appropriations used	**$ 19,832,155**	**$ 17,802,388**

b) Reconciliation of appropriations provided to current year appropriations used

	2007	2006
Total Operating Vote	$ 18,042,950	$ 16,529,000
Statutory Vote	1,900,849	1,975,830
Spending of proceeds from the disposal of surplus Crown assets	3,163	1,175
Less :		
Lapsed appropriations	(111,931)	(703,330)
Available for use in subsequent years	(2,876)	(287)
Current year appropriations used	**$ 19,832,155**	**$ 17, 802,388**

c) Reconciliation of net cash provided by Government to current year appropriations used

	2007	2006
Net cash provided by Government	$ 18,529,913	$ 17,937,220
Refund of prior year expenditures	8,117	28,499
Revenue not available for spending	2,876	287
Change in accounts receivable and cash	(215,144)	277,595
Change in accounts payable and accrued liabilities	1,483,058	(448,057)
Other adjustments	23,335	6,844
Current year appropriations used	**$ 19,832,155**	**$ 17, 802,388**

4. Tangible Capital Assets

Cost	March 31, 2006	Additions	Disposals	March 31, 2007
Machinery and equipment	$ 275,080	$ 167,706	---	$ 442,786
Informatics hardware	1,517,008	971,310	---	2,488,318
Furniture	637,866	281,023	---	918,889
Informatics software	424,551	70,845	---	495,396
Motor vehicles	23,697	30,630	23,697	30,630
Leasehold improvements	919,357	34,583	---	953,940
	$ 3,797,559	$ 1,556,097	$ 23,697	$ 5,329,959

Accumulated amortization	March 31, 2006	Amortization	Disposals	March 31, 2007
Machinery and equipment	$ 164,206	$ 43,252	---	$ 207,458
Informatics hardware	1,075,030	200,886	---	1,275,916
Furniture	410,842	128,824	---	539,666
Informatics software	394,324	17,720	---	412,044
Motor vehicles	22,568	1,858	23,697	729
Leasehold improvements	268,038	94,398	---	362,436
	$ 2,335,008	$ 486,938	$ 23,697	$ 2,798,249

Net Book Value	March 31, 2006	March 31, 2007
Machinery and equipment	$ 110,874	$ 235,328
Informatics hardware	441,978	1,212,402
Furniture	227,024	379,223
Informatics software	30,227	83,352
Motor vehicles	1,129	29,901
Leasehold improvements	651,319	591,504
	$ 1 ,462,551	**$ 2,531,710**

5. Employee Future Benefits

a) Accrued employee severance benefits

The Office provides severance benefits to its employees based on years of service and final salaries. This benefit plan is not funded. Benefits will be paid from future appropriations. Information about the severance benefits is as follows:

	2007	2006
Accrued benefit obligation, beginning of the year	$ 2,339,325	$ 2,177,871
Expense for the year	511,169	400,167
Benefits paid during the year	(554,221)	(238,713)
Accrued benefit obligation, end of the year	**$ 2,296,273**	**$ 2,339,325**

b) Pension benefits

The Office's employees participate in the Public Service Pension Plan, which is sponsored and administered by the Government of Canada. Pension benefits accrue up to a maximum period of 35 years at a rate of 2 percent per year of pensionable service, times the average of the best five consecutive years of earnings. The benefits are integrated with Canada/Québec Pension Plans benefits and they are indexed to inflation.

Both the employees and the Office contribute to the cost of the Plan. The 2006-07 expense amounts to $1,400,926 ($1,462,113 in 2005-06), which represents approximately 2.6 times the contributions by employees.

The Office's responsibility with regard to the Plan is limited to its contributions. Actuarial surpluses or deficiencies are recognized in the financial statements of the Government of Canada, as the Plan's sponsor.

c) Other benefits

The employees of the Office are also covered by workers' compensation benefits across Canada. This plan is managed by Human Resources and Social Development Canada (HRSDC). As plan manager, HRSDC has authority to charge to the Office its share of the annual workers' compensation benefit payments incurred under the plan. These amounts are expensed by the Office and charged to appropriations when the Office becomes liable to HRSDC in the year the amounts are billed.

In April 2002, the death of an employee has resulted in workers' compensation death benefits totalling approximately $666,000 being payable under the plan by the Office to HRSDC over the next 13 years. The Office's current year expense in relation to this claim amounts to $39,167 ($38,150 in 2006). It is expected that benefits totalling approximately $335,000 will be paid over the next 10 years by the Plan and that these amounts as well as administration fees will be paid to HRSDC by the Office in accordance with Treasury Board Policy. These amounts will be both expensed and charged to appropriations by the Office in the year they are billed by HRSDC.

6. Related Party Transactions

The Office is related in terms of common ownership to all Government of Canada departments, agencies and Crown corporations. The Office enters into transactions with these entities in the normal course of business.

During the year, the Office had net expenses of $5,838,678 ($5,155,235 in 2006) from transactions in the normal course of business with other Government departments, agencies and Crown corporations. These expenses include services provided without charge of $2,790,000 ($2,647,000 in 2006) as described in Note 7.

7. Services Provided Without Charge by Other Government Departments ($ 000)

During the year, the Office received services that were obtained without charge from other government departments and agencies. These are recorded at their estimated costs in the financial statements as follows:

	2007	2006
Public Works and Government Services Canada - accommodation	$ 1,770	$ 1,700
Treasury Board Secretariat - employer's share of insurance premiums	918	856
Office of the Auditor General of Canada - audit services	95	85
Public Works and Government Services Canada - payroll services	7	6
Total	**$ 2,790**	**$ 2,647**

8. Contingent Liabilities

In the normal course of its operations, the Office may become involved in various legal actions. Some of these legal actions may result in actual liabilities when one or more future events occur. To the extent that the future event is likely to occur, and a reasonable estimate of the loss can be made, a liability is accrued and an expense recorded in the financial statements. No contingent liabilities relating to the Office of the Commissioner of Official Languages are recognized in the Office's financial statements for the fiscal year ended March 31, 2007.

9. Contractual Obligations

The Office has commitments arising in the normal course of operations for future years. These obligations include occupancy leases and equipment rental, as well as the obligation for workers' compensation death benefits disclosed in Note 5 (c). Minimum annual payments under these agreements are as follows:

Fiscal year	($000)
2007-2008	$125
2008-2009	79
2009-2010	64
2010-2011	64
2011 until 2017	289
Total	**$621**

10. Comparative Figures

Certain comparative figures have been reclassified to conform to the presentation adopted in the current year.

Table 9: Response to Parliamentary Committees, and Audits and Evaluations for Fiscal Year 2006-2007

Response to Parliamentary Committees
No recommendations were received for the year under review.
Response to the Auditor General
In 2006–2007, the Office of the Commissioner of Official Languages was the subject of a year-end audit by the Auditor General of Canada. In her report, the Auditor General was of the opinion that the financial statements of the Office presented fairly, in all material respects, the financial position of the Office as at March 31, 2007, and the results of its operations and its cash flows for the year ended in accordance with generally accepted Canadian accounting principles. Furthermore, in her opinion, the transactions of the Office that came to her notice during the audit had, in all significant respects, been in accordance with the *Financial Administration Act* and regulations and the *Official Languages Act*.
External Audits
No recommendations were received for the year under review.
Internal Audits or Evaluations
Not applicable for the year under review. An Internal Audit function has been approved and funded starting with fiscal 2007-2008.

Table 10: Procurement and Contracting

Supplementary information on Procurement and Contracting can be found at:
http://www.tbs-sct.gc.ca/rma/dpr3/06-07/index_e.asp

Table 11: Travel Policies

Supplementary information on Travel Policies can be found at:
http://www.tbs-sct.gc.ca/rma/dpr3/06-07/index_e.asp

SECTION IV – OTHER ITEMS OF INTEREST

Publications

Reports

Annual Report 2005-2006 (May 2006)
See: http://www.ocol-clo.gc.ca/html/ar_ra_2005_06_e.php

Performance Report 2005-2006 (October 2006)
See: http://www.tbs-sct.gc.ca/dpr-rmr/0506/COL-CLO/col-clo_e.asp

Report on Plans and Priorities 2007-2008 (March 2007)
See: http://www.tbs-sct.gc.ca/rpp/0708/ocol-clo/ocol-clo01_e.asp

Language Rights 2005-2006 (April 2007) (biennial report)
See: http://www.ocol-clo.gc.ca/html/langlaws_droitsling_e.php

Audit

Audit of Canada Post Corporation Services to the Public at Bilingual Postal Outlets - Follow-up (June 2006)
See: http://www.ocol-clo.gc.ca/html/post_suivi_followup_062006_e.php

Audit of the Implementation of Section 41of Part VII of the Official Languages Act *at the Canadian Radio-television and Telecommunications Commission* (February 2007)
See: http://www.ocol-clo.gc.ca/html/crtc_2007_1_e.php

Studies

A Sharper View: Evaluating the Vitality of Official Language Communities (May 2006)
See: http://www.ocol-clo.gc.ca/html/stu_etu_052006_e.php

Towards Real Equality of Official Languages: Language of Work Within Federal Institutions of New Brunswick (June 2006)
See: http://www.ocol-clo.gc.ca/html/stu_etu_nb_062006_e.php

Drawing the Line: The Impact of Readjusting the Electoral Boundaries on the Official Language Minority Communities (June 2006)
See: http://www.ocol-clo.gc.ca/html/stu_etu_062006_e.php

Other Publications

The Evolution of Public Opinion on Official Languages in Canada (September 2006)
See: http://www.ocol-clo.gc.ca/html/evolution_opinion_e.php

French Culture and Learning French as a Second Language: Perceptions of the Saskatchewan Public (January 2007)
See: http://www.ocol-clo.gc.ca/html/stu_etu_fr_012007_e.php

Infoaction (February 2007)
See: http://www.ocol-clo.gc.ca/html/infoaction_e.php

At Your Service (March 2007)
See: http://www.ocol-clo.gc.ca/html/other_autres_publications_e.php

Video: *One Charter, Two Languages, A Thousand and One Voices* (March 2007)
See: http://www.ocol-clo.gc.ca/html/chart_charte_video_e.php

Many of the Office of the Commissioner of Official Languages publications are available in HTML or PDF format on its Web site, at the following address:
http://www.ocol-clo.gc.ca/publications.asp

News Releases

Annual Report 2005-2006
(Ottawa, May 9, 2006)

A Sharper View: Research for Official Language Community Vitality
(Montreal, May 18, 2006)

Linguistic minorities left out in the cold in the last readjustment of federal electoral boundaries
(Ottawa, June 6, 2006)

Federal Public Servants in New Brunswick Still Work Mainly in English
(Moncton, June 14, 2006)

Graham Fraser Appointed Sixth Commissioner of Official Languages
(Ottawa, October 17, 2006)

Commissioner of Official Languages Re-establishes a Presence in Saskatchewan
(Ottawa, January 16, 2007)

Canada's Francophonie: A source of pride for all Canadians
(Ottawa, March 20, 2007)

Many of the Office of the Commissioner of Official Languages news releases and speeches are available in HTML or PDF format on its Web site, at the following address:
http://www.ocol-clo.gc.ca/html/newsroom_nouvelles_e.php

Contact Information for Headquarters and Regional Offices

For further information, visit the Office of the Commissioner's Web site at http://www.ocol-clo.gc.ca, or contact one of the following offices:

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